IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISDICTION

Writ Petition No.1126 of 2007

Amol Bhagwan Chavan ..Petitioner.

vs

The State of Maharashtra & ors ..Respondents

Mr. R.K. Mendadkar for petitioner

Mr. Kumbhakoni Associate Advocate General with
Mr V. P. Malvankar AGP for respondents.

CORAM: H.L. GOKHALE,Acg.C.J. ,&
V.M.KANADE, J.
DATE: February 20, 2007.

P.C.:-

Heard Mr. Mendadkar in support of this petition, and Mr. Kumbhakoni for respondents.

Rule. Rule made returnable forthwith.

The petitioner is a student who has taken admission to the Pharmacy Course (B.Pharm.) in the respondent No.4 college. The petitioner claims to have the caste certificate as belonging to Thakur Scheduled Tribe issued way back in the year 2000. That certificate was sent for scrutiny by the Principal of the college by his letter dated 19th January 2006. The claim is not decided as yet. This petition is filed for a limited purpose to seek directions to the Scrutiny Committee to decide the caste

claim of the petitioner at the earliest and in the meanwhile petitioner's education should not be disturbed.

Mr. Kumbhakoni appearing for the respondents leaves it to the court to pass appropriate order considering the facts of the present case. In the circumstances we allow this petition and direct respondent No. 2 Committee to scrutinise the caste claim of the petitioner at the earliest and in any case by the end of May 2007. Mr. Mendadkar states that the petitioner will appear before the concerned Committee on 5th March 2007 and will not seek any adjournment. We further direct that in the meanwhile and till the final decision of the Committee, petitioner's education will not be discontinued. The decision of the Committee will not be given effect to for a further period of six weeks, in the event the same is adverse to the petitioner.

Rule made absolute accordingly.

ACTING CHIEF JUSTICE

V.M.KANADE, J.